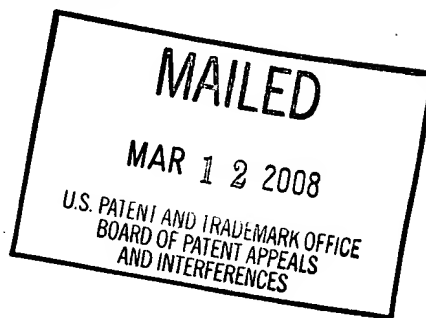


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YUTAKA HAGA

Application No. 09/778,076



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on February 14, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

On October 25, 2007, the Examiner mailed a communication acknowledging receipt of Appellant's Reply Brief, dated August 7, 2007. A review of the file reveals that, in acknowledging the Reply Brief, the Examiner included comments as to the content of the Reply Brief that makes the acknowledgment a Supplemental Examiner's Answer. According to MPEP § 1207.05, "[e]very supplemental examiner's answer

Application No. 09/778,076

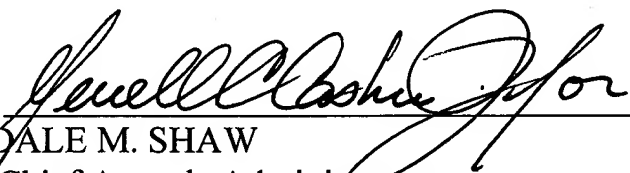
must be approved by a Technology Center (TC) Director or designee.” There is no indication that the Examiner’s communication of October 25, 2007 was approved by a Technology Center (TC) Director or designee.

Accordingly, it is

ORDERED that the application is returned to the Examiner for the following:

- 1) to obtain the approval of the Technology Center (TC) Director or designee of the Examiner’s communication mailed October 25, 2007;
- 2) to notify Appellant of said approval; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
DALE M. SHAW
Chief Appeals Administrator
(571) 272-9797

DMS/dal

Application No. 09/778,076

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